

UNITED STATES-CHILE FREE  
TRADE AGREEMENT IMPLEMEN-  
TATION ACT

SPEECH OF

**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, July 24, 2003*

Mr. WAXMAN. Mr. Speaker, despite serious reservations, I will support the U.S. Free Trade Agreements (FTA) with Chile and Singapore. I support these agreements because I believe Chile and Singapore are valuable economic partners and strategic international allies. I have serious concerns, however, that the agreements also have a number of provisions that, while acceptable in the case of Chile and Singapore, set bad precedents for the future.

Chile and Singapore are important markets for U.S. products and investment. As anchors of trade in Southeast Asia and Latin America, they are advanced economies with political openness and a growing middle class. The FTAs before us today are valuable because they offer a reduction of barriers to trade in financial services with Singapore, which is the largest U.S. export sector in Asia, and strong market access for U.S. goods in Chile.

The agreements have strong intellectual property protections to fight the theft of copyrighted work and bold new measures to challenge digital and online piracy. These measures will help protect the driving force of creativity and innovation that has made entertainment and information technology the fastest growing sectors and the biggest exporting industries in the United States and in California.

At the same time, the agreements unfortunately include provisions that set the wrong tone for the future of U.S. trade policy.

I am concerned, for example, that because the U.S. Trade Representative's (USTR) model for automatic across the board tariff reductions in agriculture includes tobacco, the FTAs with Chile and Singapore could lead to an increase in cigarette consumption. Similarly, in the area of services, I am concerned that more exceptions should have been made for public utilities in order to safeguard government authority to protect consumers in the event of a crisis.

I am deeply disappointed that the Administration refused to include the U.S.-Jordan FTA standards that require the enforcement of environmental laws and the adoption of labor laws consistent with the five core International Labor Organization (ILO) standards. While laws in Chile and Singapore may already meet these standards, the omission sends a wrong message that the basic principles of international workers rights and environmental protection are slipping from the U.S. trade agenda.

I am also disappointed that the Administration did not use the Chile and Singapore FTAs as an opportunity to explicitly clarify that the investor-to-state provisions of the agreement do not give foreign companies greater rights than U.S. investors have under U.S. law. Even though the definition of expropriation in the Singapore and Chile FTAs is narrower than NAFTA, more changes are necessary to fix this distorted mechanism. Experience tells us that it is being abused to challenge U.S. regulatory and environmental law.

Moreover, I strenuously object to the FTAs' grant of extended monopoly periods to pharmaceutical companies, during which they will face no competition from generic drugs. Many people describe these protections as a simple extension of the Hatch-Waxman legislation that applies to the American market to our trading partners, but this is a serious distortion of the bill I co-authored. Hatch-Waxman was passed to overcome existing regulatory barriers in the U.S. market to the approval of low-cost generic drugs. In exchange for this new authority, the law provided specified periods of exclusive marketing and patent extensions to pharmaceutical companies, allowing them to recoup development costs. The length of any exclusive marketing period, during which no generic version could be marketed, was tied to the degree of innovation represented by the drug.

As a co-author of Hatch-Waxman, I cannot emphasize enough that this carefully balanced legislation represented a tailored solution to a specific regulatory problem in the United States. By adding these provisions to trade agreements, the USTR is heedlessly extending the exclusive marketing periods of Hatch-Waxman (and, in some cases, even more generous exclusive marketing periods) to other countries whose generic drug markets and health-care regulatory systems may look nothing like those in the United States. Although the impact of these protections may be limited in developed countries like Chile and Singapore it would be devastating in other countries that lack affordable and available life saving medicines and endure dangerous health epidemics.

In voting for this legislation, I want to make it clear that the Chile and Singapore agreements should not be adopted as "cookie-cutter" prototypes for other FTA's currently being negotiated. The economic, social, and political diversity of Central America, Morocco, Australia, and the other countries slated for inclusion in the Free Trade Agreement of the Americas and the Southern Africa Customs Union are simply too diverse to be forced in the Chile and Singapore mold.

International trade has the potential to raise the standard of living and quality of life for millions of people around the world. To achieve this, however, we must work for progressive, forward-looking agreements that not only expand markets, but protect worker and consumer rights and the environment. What is acceptable for Chile and Singapore will not be adequate in other countries. We must negotiate future FTAs to ensure that our citizens and our trading partners have the opportunity to experience the full benefits of free and fair trade.

RECOGNIZING THE NOSOTROS  
ORGANIZATION**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to the Nosotros Organization, the nation's oldest Latino performing arts organization, which has been serving the Latino community since 1970. Through the leadership of founder Ricardo Montalban and President

Jerry Velasco, the Nosotros Organization has worked to improve the image of Latinos through the entertainment industry by promoting Latino employment in front of and behind the camera and by providing educational opportunities for Hispanics in the performing arts.

Among its many functions, the Nosotros Organization offers theatre productions and theatre workshops to foster the creativity and talent of young Latinos and Latinas. Annually, the Nosotros Organization recognizes Hispanic leaders through the Golden Eagle Award, presented to those individuals who are committed to community service and work to fulfill the Nosotros mission. These awards are essential to raise funds to maintain the organization as a self-sustaining, financially independent arts organization. I had the pleasure of attending a recent Golden Eagle Award ceremony and was pleased to observe the tangible results of this organization's contribution to the Hispanic community and to the performing arts.

I am honored to acknowledge Nosotros and to commend the organization for its exemplary work and service in advancing diversity in the arts and promoting Hispanic leadership.

TRIBUTE TO FIESTA DAY IN LONG  
ISLAND, NY**HON. JOSÉ E. SERRANO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the Third Annual Fiesta Day at the Hampton Classic Horse Show in Long Island, NY, which will take place on August 29, 2003. This important event is eagerly anticipated by the Latino community of Long Island each year. It is a wonderful celebration of the noteworthy contributions of the Latino community to the horse industry in the United States.

First held in 2001, Fiesta Day developed after a few thoughtful members of the Long Island thoroughbred industry made the effort to recognize the dedicated Latino grooms for the thousand-plus horses that compete at the classic. After further discussion, it was agreed that a broader format for Fiesta Day would be more appropriate for an area of Long Island that is showing tremendous growth in its Latino population.

Mr. Speaker, today Fiesta Day reaches out to the entire Latino population of Long Island and offers special educational programs, cultural activities including music and horse-related performances from several Latin American countries, and special food booths that reflect the diversity of Latino cuisine. The Day also includes an on-field ceremony to honor leading members of different segments of the Latino community—local, regional, and national—with special recognition given to one outstanding horseman of Latino descent for his or her contributions to the horse industry.

In addition to the celebratory events of the day, the management of the Hampton Classic encourages the event's 75 corporate sponsors to staff booths promoting diversity in the workplace and to outline employment opportunities for qualified members of the Latino workforce.

Mr. Speaker, without the thousands of Latinos who work with the thoroughbred industry, this multi-million dollar establishment

would come to an immediate halt. They serve as jockeys, trainers, blacksmiths, grooms, exercise riders as well as cooks, vendors and suppliers. Often unrecognized, they are the proverbial backbone of this industry.

Fiesta Day is a great opportunity not only to celebrate the contributions of these hard working Latino Americans to the horse industry but to celebrate the growth of the Latino community in this nation. Accordingly, I ask that my colleagues join me in honoring Fiesta Day.

#### MARQUETTE UNIVERSITY NURSES HELPING TO FIGHT HIV/AIDS IN AFRICA

**HON. GERALD D. KLECZKA**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. KLECZKA. Mr. Speaker, the AIDS pandemic threatens stability, future economic growth and development throughout the world, particularly in Africa. Yet, nurses are an underutilized resource in HIV prevention and the care of those in Africa who suffer from AIDS. Marquette University's College of Nursing and the U.S. Agency for International Development recognize the important and unique role nurses and primary health care workers can play in this effort. They have collaborated to enhance nursing skills in the treatment and prevention of HIV/AIDS in Kenya.

I wish to enter into the CONGRESSIONAL RECORD an article that appeared in the Summer 2003 issue of Marquette Magazine, which highlights positive impact Marquette University has made in training Kenyan health care workers to treat Kenyans infected with HIV/AIDS.

#### HELPING HANDS

MARQUETTE PROGRAM PUTS NURSES ON THE  
FRONT LINE OF THE WAR ON HIV/AIDS IN KENYA  
(By Kristen M. Scheuing)

In 1997, Sister Genovefa Maashao appealed to then-dean of Marquette's College of Nursing, Dr. Madeline Wake (now university provost), for help in dealing with the AIDS epidemic that was consuming her native Kenya. At Wake's invitation, Sister Genovefa came to Marquette to receive instruction in HIV/AIDS prevention and patient care. When she returned to her hometown of Voi, she was the only HIV/AIDS-trained health-care professional in a community of some 300,000 people, 20-40 percent of which were presumed to be infected.

Astounded by the numbers and inspired by a recent presidential declaration of war on HIV/AIDS in this country, the College of Nursing felt compelled to join Sister Genovefa's mission to harness the epidemic in Kenya.

Under the direction of Karen Ivantice-Doucette, Nurs '79 and '95, clinical assistant professor of nursing, and Margaret Murphy, clinical associate professor of nursing, a revolutionary 4-year program was designed that would put the skill and knowledge in the hands of those who actually administer the majority of care in Kenya: nurses and non-physician health-care workers, not doctors.

In collaboration with the U.S. Agency for International Development, the program will create a self-sustaining supply of caregivers trained in HIV/AIDS care and prevention in Kenya. The project was lauded at a January 2003 press conference by President George W. Bush, who cited the Marquette program as an example of how faith-based organizations can be successful partners with government agencies in the fight against HIV/AIDS.

As part of the first phase of the program, 12 nurses were recruited from various Kenyan governmental, health-care and educational institutions and brought to Marquette last spring for five weeks of intensive training. The nurses returned to Kenya to train other caregivers who will, in turn, train others. After four years more than 300 health workers will have been trained, directly enhancing the health-care infrastructure for more than 10,000 people.

Of the estimated 60 million people living with HIV/AIDS worldwide, nearly 80 percent are in Africa. The program aims to re-establish human dignity to those infected with the virus through the initiative of nurses.

#### CENTRAL NEW JERSEY RECOGNIZES AND HONORS THE LIFE OF JULIA BAXTER BATES, FIRST BLACK STUDENT AT DOUGLASS COLLEGE

**HON. RUSH D. HOLT**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. HOLT. Mr. Speaker, I rise today to recognize and honor the courage, career and commitment of Douglass College's first black student, Julia Baxter Bates. Ms. Bates died earlier this month at the age of 86 after a distinguished life.

Julia Baxter Bates became the first black student admitted to what is now Rutgers University's Douglass College due to her courage, her resolve, and thank goodness, due to a fortunate error. In 1934, Ms. Baxter Bates sent her application, along with the required photograph, to the Admissions Office of Douglass College. In reviewing her application, an admissions officer mistook Bates, a light-skinned black woman, for a white woman, and invited her to interview. At that interview, administrators suggested she attend a school where she would be "more comfortable." At this moment, Ms. Baxter had a choice. She chose the more difficult path. With determination and courage and the assistance of her father, she convinced administrators to let her stay.

Displaying resolve and purpose, Ms. Bates succeeded in the face of intolerance. In 1938, she graduated magna cum laude. When she could not get her teaching license because no school district would let her student-teach, she earned a master's degree at Columbia University and began teaching English and American literature at Dillard University in New Orleans.

In response to her continued encounters with racism, Ms. Baxter Bates left the field of education and entered the world of legal justice and social activism. She joined the staff of the New York headquarters of the National Association for the Advancement of Colored People, the NAACP. There she spent a quarter-century helping form the research sector that later wrote the winning brief in the now-famous *Brown v. Board of Education*. She considered her involvement in *Brown v. Board of Education* her greatest achievement.

Bates returned to education in 1965 at Columbia's School of Social Work to work on urban education, and a few years later she finally became a New Jersey schoolteacher, in Newark. In 1984, she joined Essex County College as an administrator.

Mr. Speaker, I rise today to honor Julia Baxter Bates for her long career of social change

and her commitment to education. From the courage and perseverance of individuals such as Julia, the institutions and the attitudes of our society progress. I ask my colleagues to join me in recognizing one of New Jersey's most significant daughters.

#### PERSONAL EXPLANATION

**HON. SUE WILKINS MYRICK**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

July 24, 2003: Rollcall vote 443, on the motion to recommit on H.R. 2210, the School Readiness Act, I would have voted "no"; and Rollcall vote 446, on the motion to instruct conferees on the Tax Relief, Simplification and Equity Act, I would have vote "no."

#### HONORING GERRY L. NANNENGA

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Friday, July 25, 2003*

Mr. VISCLOSKY. Mr. Speaker, I rise today to honor Mr. Gerry L. Nannenga for his lifelong contributions to the labor movement. This is a very special pleasure, as I have known Gerry for the better part of two decades and have seen firsthand the efforts of his dynamic accomplishments on behalf of the community. On Thursday, July 31, 2003, the Indiana Regional Council of Carpenters and Millwrights will salute Gerry for his dedicated work, serving the union members in the State of Indiana as Executive Secretary-Treasurer. Fortunately, Gerry will have the opportunity to continue his distinguished career in the labor movement, as he is being promoted to serve the needs of working carpenters nationwide.

Gerry Nannenga has dedicated a substantial portion of his life to the betterment of union members and the community of Northwest Indiana, as well as the entire State of Indiana.

Gerry's distinguished career in the labor movement has made the community and the State of Indiana a better place in which to live and work. For more than 28 years, Gerry Nannenga has served as a member of Local 1005 of the Carpenters Union. Additionally, Gerry served as Business Manager of the Northwest Indiana District Council of Carpenters and Millwrights, as well as, past President of the Northwest Indiana Federation of Labor. Gerry has always devoted his career toward the expansion of labor ideals and fair standards for all working people.

While Gerry Nannenga has dedicated considerable time and energy to his work with the Indiana Regional Council of Carpenters and Millwrights, he has always made an extra effort to give back to the community. He has served on the Indiana State Building Trades Executive Board and the Lake Area United Way Executive Committee. Additionally, in 1998, Governor Frank O'Bannon appointed him to the Indiana Port Commission.

Although his work and community service put extraordinary demands on his time, Gerry